

Background

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How Members of Congress Practice Private School Choice

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Many Members of Congress value the opportunity to choose a safe and effective school for their own children, yet many of these same Members consistently oppose school choice legislation that would give the same opportunity to other families. For example, Senators Edward Kennedy (D–MA) and Hillary Clinton (D–NY) have been outspoken opponents of school choice initiatives even though both have sent their children to private schools.¹

Since 2000, The Heritage Foundation has conducted several surveys of Members of Congress to determine how many Senators and Representatives practice school choice by sending their children to private school.² In 2007, The Heritage Foundation updated this survey and found that 37 percent of Representatives and 45 percent of Senators in the 110th Congress sent their children to private schools—almost four times the rate of the general population.³

Based on the survey results, if all of the Members who exercised school choice for their own children had supported school choice in policy, every major legislative effort in recent years to give parents school choice would have passed. Congress should support policies that give *all* families the opportunity to choose the best school options for their children.

The Parental Choice Survey of Members of Congress

In 2007, The Heritage Foundation conducted a survey of Members of Congress to determine the

Talking Points

- Members of the 110th Congress practice private school choice at about four times the rate of the general population. In a recent Heritage Foundation survey, 37 percent of Representatives and 45 percent of Senators responded that they had sent children to private school.
- Many Members practice school choice but oppose policies that would allow low-income families to choose safe and effective schools for their own children.
- If all of the Members who exercised school choice for their own children had supported school choice in policy, every major legislative effort in recent years to give parents school choice would have passed.
- Unlike Members of Congress, many American families cannot afford to send their children to private schools.
- Congress should give all families the opportunity to choose the best school options for their children.

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percentage that practice private school choice. The Heritage Foundation conducted similar surveys in 2000, 2001, and 2003,⁴ and the results show that private school choice continues to be an important option for elected leaders' families. (See Table 1.)

The 2007 survey found that the percentage of Members of the 110th Congress who practice private school choice is disproportionate to the general populace, since only 11.5 percent of American students attend private schools.⁵ Also of note, Members of the Congressional Black Caucus and Congressional Hispanic Caucus, who represent populations that have fared poorly academically in public schools and that stand to benefit the most from educational options,⁶ showed particularly high rates of practicing school choice.

Notable findings include the following:

- Over 37 percent of Representatives and 45 percent of Senators responded that they had sent their children to private school;
- Over 23 percent of House Education and Labor Committee members and 33 percent of Senate

Legislative Body	School Type	
	Private	Public
U.S. House of Representatives	37.3%	62.7%
Republicans	37.2%	62.8%
Democrats	37.3%	62.7%
U.S. Senate	45.1%	54.9%
Republicans	47.5%	52.5%
Democrats	43.3%	56.7%

Source: The Heritage Foundation, school choice survey of the Members of the 110th Congress, January–February 2007. Based on responding Members who have had school-aged children. See Appendix for details.

- Health, Education, Labor, and Pensions Committee members exercised private school choice; and
- Exactly 52 percent of Congressional Black Caucus members and 38 percent of Congressional

1. For examples, see Karen DeWitt, "The New Presidency: Chelsea's School; Sidwell Is Often Chosen by Capital's Elite," *The New York Times*, January 6, 1993, p. A14; Deroy Murdock, "A Friendship Killer," *National Review*, September 22, 2003, at www.nationalreview.com/murdock/murdock200309221702.asp (May, 21, 2007); and Carrie L. Lukas, "The Choice of Private Schools," *Independent Women's Forum*, February 1, 2004, at www.iwf.org/issues/issues_detail.asp?ArticleID=467 (May 21, 2007).
2. Survey respondents were assured that the results would not be attributed to individual Members of Congress.
3. Survey results reflect individuals who have or have had school-age children. For more detailed survey results, see the Appendix.
4. Krista Kafer and Jonathan Butcher, "How Members of Congress Practice School Choice," Heritage Foundation *Backgrounder* No. 1684, September 3, 2003, at www.heritage.org/Research/Education/BG1684.cfm; Jennifer Garrett, "Another Look at How Members of Congress Exercise School Choice," Heritage Foundation *Backgrounder* No. 1553, May 22, 2002, at www.heritage.org/Research/Education/BG1553.cfm; and Nina Shokraii Rees and Jennifer Garrett, "How Members of Congress Practice School Choice," Heritage Foundation *Backgrounder* No. 1377, June 13, 2000 at www.heritage.org/Research/Education/BG1377.cfm.
5. Author's calculation based on enrollments in public and private schools in 2005, reported in U.S. Department of Education, National Center for Education Statistics, *Digest of Education Statistics, 2006*, NCES 2006-030, Chap. 1, at http://nces.ed.gov/programs/digest/d06/ch_1.asp (August 29, 2007).
6. Blacks and Hispanics score significantly lower than their Caucasian peers on measures of long-term academic achievement as measured by the National Assessment of Educational Progress. U.S. Department of Education, Institute of Education Sciences, National Center for Education Statistics, "The Nation's Report Card: National Assessment of Educational Progress," Web site, at <http://nces.ed.gov/nationsreportcard> (August 28, 2007). Polling data show support for school choice among minority populations. For example, see Latino Coalition and Hispanic Business Roundtable, "National Survey of Hispanic Adults," July 24, 2001; Sari Horowitz, "Poll Finds Backing for D.C. School Vouchers; Blacks Support Idea More Than Whites," *The Washington Post*, May 23, 1998, p. F1; and press release, "New Evidence Shows Bipartisan Support for School Choice Programs in Florida by Registered Latino Voters," Hispanic Council for Reform and Educational Options, October 17, 2006, at www.hispanicprwire.com/news.php?l=in&id=7283 (August 28, 2007).

Hispanic Caucus members sent at least one child to private school.⁷

Survey Details

Between January 22, 2007, and February 22, 2007, The Heritage Foundation contacted the staff of each Representative and Senator to ask whether the Member has children and, if so, whether they attend or have attended public or private schools. For purposes of survey tabulation, Members who have sent at least one child to private school at any time were categorized as having exercised school choice.

Because the 2007 survey was conducted in the same way as the 2003 survey, if a Member did not respond to the 2007 survey request, 2003 data were used whenever possible. If no data were available from either survey and the Member did not respond, the Member was included in the “no response” category.

Using this methodology, the response rate for the survey was 69 percent for Representatives and 72 percent for Senators.

Policy Relevance

Since 2001, Congress has considered multiple initiatives to expand parental choice in education. In 2001, during the first congressional debate over No Child Left Behind (NCLB), the House of Representatives voted down an amendment that would have given scholarships to students attending low-performing or dangerous public schools by a vote of 155 to 273.⁸ During the Senate debate over NCLB, the Senate rejected a pilot program to provide scholarships to low-income students by a vote of 41 to 58.⁹

Based on the 2003 survey, each of these amendments would have passed if Members who exercised school choice for their own children had voted in favor of the school choice initiatives.

School Choice Developments Since 2003

Since the 2003 survey, Congress has taken an historic step to empower parents by creating the first federal school voucher program for disadvantaged children in Washington, D.C.

In 2004, the House of Representatives passed legislation to give low-income students in the District of Columbia who are trapped in low-performing public schools the opportunity to apply for a scholarship to attend a private school of choice. The D.C. Choice Incentive Act of 2003 (H.R. 2556) passed by only one vote (209–208) as part of H.R. 2765. The vote was largely along party lines: Only 15 Republicans voted against it, and only three Democrats voted for it.¹⁰

The Senate passed the measure by a vote of 65 to 28 as part of an omnibus spending bill (H.R. 2673). Opposition to the voucher program led some Senators to oppose the overall spending bill, and Senator Kennedy and other Democrats held an anti-voucher rally immediately after the vote.¹¹ Vowing to repeal the voucher program, he proclaimed: “Even after this vote, don’t bank on vouchers coming to D.C.”¹² However, opponents have not succeeded in repealing the program.

Instead, the legislation created the first federally funded voucher program, now known as the Washington, D.C. Opportunity Scholarship Program. More than 1,800 students, with an average family income of \$21,100, are using opportunity scholarships to attend 66 participating private schools in Washington.

7. For a full breakdown of survey statistics, see the Appendix.

8. See H. Amdt. 57, 107th Congress, 1st Sess.

9. See S. Amdt. 536, S. Amdt. 357, and S. Amdt. 358, 107th Congress, 1st Sess.

10. U.S. House of Representatives, Office of the Clerk, “Final Vote Results for Roll Call 490,” September 9, 2003, at <http://clerk.house.gov/evs/2003/roll490.xml> (August 28, 2007).

11. Robert Marus, “Senators Approve DC Vouchers; Opponents Vow Legal Responses,” Associated Baptist Press News, January 25, 2004, at www.abpnews.com/2405.article (June 18, 2007).

12. “Overdue Spending Bill Wins Approval in Senate,” *The Seattle Times*, January 23, 2004, at <http://archives.seattletimes.nwsourc.com/cgi-bin/texis.cgi/web/vortex/display?slug=spend23&date=20040123> (August 28, 2007).

Approximately 11 percent of eligible low-income students have applied for a scholarship.¹³

The D.C. scholarship program is an important step toward parental choice in education. Despite serving only a limited number of students, a school choice program in the nation's capital is a model for the rest of the country.

Researchers have produced two key reports analyzing the program's effectiveness.

- The first report, published by the Georgetown University Public Policy Institute in May 2007, found that “[t]he vast majority of families participating in this study are satisfied with the OSP [Opportunity Scholarship Program] in general, and their choice of new schools in particular.” The report concluded that parents were more involved in their children's education and that their involvement increased the longer their child participated in the program. The report also found that participating parents had become active and engaged consumers of education, visiting an average of three schools before selecting one.¹⁴
- The second report, released by the U.S. Department of Education in June 2007, evaluated student achievement in the D.C. Opportunity Scholarship Program.¹⁵ While the report found gains among some subgroups, the academic results were predictably modest since the study evaluated students after only one year in the program.

Academic achievement studies of similar voucher programs have been positive. Eight ran-

dom-assignment studies of five school voucher and tuition scholarship programs compared the performance of students who were awarded scholarships to attend private school through a lottery system to the performance of their peers who entered the lottery but did not receive scholarships and therefore remained in public school. According to education researcher Jay Greene, all but one of these studies found that students using scholarships to attend private schools performed significantly better academically, and every study found some positive academic effect. For example, two randomized-experiment studies of the Milwaukee school voucher program have found that students who received vouchers through a lottery made academic gains when compared to their peers who remained in public school. Similar studies of private school choice programs in other cities (e.g., Charlotte, New York City, and Washington, D.C.) reached similar conclusions.¹⁶

Additional Progress for School Choice

The D.C. Opportunity Scholarship Program represents a significant policy advance at the federal level, but the most important progress is being made at the state level. Twelve states and the District of Columbia offer publicly funded private-school choice programs.¹⁷

The number of states offering private school choice will increase because of the 2007 state legislative sessions. In May, Georgia Governor Sonny Perdue (R) signed into law a special-needs scholarship program,¹⁸ and Utah Governor Jon

13. Washington Scholarship Fund, “D.C. School Choice Program Sets Record for Enrolled K–12 Students in Third Academic Year,” September 26, 2006, at www.washingtonscholarshipfund.org/092606.asp (June 18, 2007).

14. Stephen Q. Cornman, Thomas Stewart, and Patrick J. Wolf, “The Evolution of School Choice Consumers: Parent and Student Voices on the Second Year of the D.C. Opportunity Scholarship Program,” Georgetown University Public Policy Institute, School Choice Demonstration Project, May 2007, pp. viii, 19, and 34, at www.georgetown.edu/research/scdp/files/Evolution%20of%20School%20Choice%20Consumers%20PSV.pdf (August 28, 2007).

15. Patrick Wolf, Babette Gutmann, Michael Puma, Lou Rizzo, and Nada Eissa, “Evaluation of the DC Opportunity Scholarship Program: Impacts After One Year,” U.S. Department of Education, June 2007, at <http://ies.ed.gov/ncee/pdf/20074009.pdf> (July 24, 2007).

16. Jay P. Greene, *Education Myths* (Lanham, Md.: Rowman and Littlefield Publishers, Inc., 2005), pp. 150–154.

17. Dan Lips and Evan Feinberg, “School Choice: 2006 Progress Report,” Heritage Foundation *Background* No. 1970, September 18, 2006, at www.heritage.org/Research/Education/bg1970.cfm.

18. Alliance for School Choice, “Governor Perdue Signs Special Needs Scholarship into Law,” May 18, 2007, at www.allianceforschoolchoice.org/more.aspx?IITypeID=3&IIID=3347 (May 21, 2007).

Huntsman, Jr. (R), signed into law a nearly universal school voucher program.¹⁹ Implementation of Utah's program has been delayed by voucher opponents, who mounted a successful petition drive to put the measure to a referendum. Utah voters will decide the future of the program in November 2007.

Regardless of the outcome of the Utah referendum, the number of students benefiting from school choice options will increase in 2008 because other states, including Pennsylvania, have expanded their existing programs to include more students.²⁰ Currently, an estimated 150,000 students are participating in private-school choice programs across the country.

The Benefits of School Choice

For the Members of Congress who exercise school choice, the benefits of allowing parents to choose a safe and effective school for their children should be obvious. In addition, a growing body of research and practical evidence shows that school choice programs are working:

- School choice options have proven widely popular with families. When private-school scholarships have been made available, many families have applied, and programs that are fully phased-in have long waiting lists for scholarships.²¹
- School choice programs improve parents' satisfaction with their children's schools.²²

- Children benefiting from school choice scholarships have improved academically compared to their peers.²³
- School choice programs have had a positive effect on public school systems because the threat of competition is spurring public schools to improve their services.²⁴

School Choice Proposals in the 110th Congress

During the 110th Congress, Members will have opportunities to maintain and expand parental choice in education. For example, the D.C. Opportunity Scholarship Program receives annual appropriations and is set to expire in 2008. Given the program's narrow margin of passage, its future is unclear.

If all Members of Congress who have sent their children to private schools voted in accordance with the choices they have exercised personally, the program would be reauthorized with a healthy margin. Over 37 percent of House Democrats have practiced school choice, but 96 percent of Democrats who practiced school choice voted against the voucher program.²⁵

In addition, parental choice will be part of the reauthorization debate over No Child Left Behind. Representative Howard "Buck" McKeon (R-CA), ranking member of the House Education and Labor Committee, and House Minority Leader John

19. Dan Lips and Evan Feinberg, "Utah's Revolutionary New School Voucher Program," Heritage Foundation *WebMemo* No. 1362, February 16, 2007, at www.heritage.org/Research/Education/wm1362.cfm.

20. Alliance for School Choice, "Pennsylvania Expands School Choice Program by \$16 Million," July 18, 2007, at www.allianceforschoolchoice.org/more.aspx?IITypeID=3&IIID=3396 (August 30, 2007).

21. Anemona Hartocollis, "Private School Choice Plan Draws a Million Aid Seekers," *The New York Times*, April 21, 1999, p. A1.

22. For examples, see Dan Lips, "The Impact of Tuition Scholarships on Low-Income Families: A Survey of Arizona School Choice Trust Parents," Goldwater Institute *Policy Report* No. 187, December 11, 2003, at www.goldwaterinstitute.org/Common/Files/Multimedia/392.pdf (August 28, 2007); Jay P. Greene and Greg Forster, "Vouchers for Special Education Students: An Evaluation of Florida's McKay Scholarship Program," Manhattan Institute *Civic Report* No. 38, June 2003, at www.manhattan-institute.org/html/cr_38.htm (June 18, 2007); and Stacey Bielick and Christopher Chapman, "Trends in the Use of School Choice, 1993 to 1999," NCES 2003-031, U.S. Department of Education, National Center for Education Statistics *Statistical Analysis Report*, May 2003, p. 25, at <http://nces.ed.gov/pubs2003/2003031.pdf> (June 18, 2007).

23. Greene, *Education Myths*, pp. 150-154.

24. Caroline Minter Hoxby, "Rising Tide," *Education Next*, No. 4 (Winter 2001), at www.hoover.org/publications/ednext/3381471.html (June 18, 2007).

25. Author's calculation based on U.S. House of Representatives, Office of the Clerk, "Final Vote Results for Roll Call 490," and The Heritage Foundation, school choice survey of the Members of the 110th Congress, January-February 2007.

Boehner (R-OH) have introduced the Empowering Parents Through Choice Act (H.R. 1486).²⁶ This legislation would provide low-income students trapped in schools labeled as “restructuring” or “failing” under NCLB with a scholarship to attend a private school of choice. If each of the Representatives who practice school choice were to join with those who have traditionally supported school choice, the Empowering Parents through Choice Act would also pass.

Conclusion

Parents, the public, and Members of Congress have shown that they value allowing parents to choose a safe and effective education for their children. According to a 2007 survey conducted by The

Heritage Foundation, 37 percent of U.S. Representatives and 45 percent of U.S. Senators sent their children to private schools—roughly four times the rate of the rest of the population.

Regrettably, many families—unlike Members of Congress—simply do not have the financial means to send their children to private schools, especially after paying taxes to support public education. Members of Congress should support policies that give all families the opportunity to choose the best school options for their children.

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26. Howard P. McKeon (R-CA), “The Empowering Parents Through Choice Act,” Dear Colleague letter, March 13, 2007, at <http://republicans.edlabor.house.gov/PRArticle.aspx?NewsID=89> (August 28, 2007).

APPENDIX

Table A1

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How Members of Congress Exercise School Choice

Legislative Body	Responding Members with School-Age Children				No School-Age Children	No Response	Response Rate
	Private School		Public School				
	Members	%	Members	%			
U.S. House of Representatives	101	37.3%	170	62.7%	30	136	68.9%
Republicans	51	37.2%	86	62.8%	13	53	73.9%
Democrats	50	37.3%	84	62.7%	17	82	64.8%
Education and Labor Committee	6	23.1%	20	76.9%	6	17	65.3%
Republicans	4	30.8%	9	69.2%	1	8	63.6%
Democrats	2	15.4%	11	84.6%	5	9	66.7%
Appropriations Committee	15	31.9%	32	68.1%	2	17	74.2%
Republicans	8	32.0%	17	68.0%	2	2	93.1%
Democrats	7	31.8%	15	68.2%	0	15	59.5%
Ways and Means Committee	7	29.2%	17	70.8%	3	14	65.9%
Republicans	3	50.0%	3	50.0%	2	9	47.1%
Democrats	4	22.2%	14	77.8%	1	5	79.2%
U.S. Senate	32	45.1%	39	54.9%	1	28	71.3%
Republicans	19	47.5%	21	52.5%	0	9	81.6%
Democrats	13	43.3%	17	56.7%	1	20	60.8%
Independents	0	0.0%	1	100.0%	0	1	50.0%
Finance Committee	3	21.4%	12	78.6%	0	7	66.7%
Republicans	2	22.2%	7	77.8%	0	1	90.0%
Democrats	1	20.0%	4	80.0%	0	6	45.5%
Independents	0	0.0%	1	100.0%	0	0	100.0%
Health, Education, Labor, and Pensions Committee	5	33.3%	10	66.7%	0	6	71.4%
Republicans	3	37.5%	5	62.5%	0	2	80.0%
Democrats	2	28.6%	5	71.4%	0	4	63.6%
Congressional Black Caucus	13	52.0%	12	48.0%	5	13	69.8%
Congressional Hispanic Caucus	5	38.5%	8	61.5%	2	10	60.0%

Source: The Heritage Foundation, school choice survey of the Members of the 110th Congress, January–February 2007.